

REMARKS

Claims 1, 5, 8-17, 19, and 20 are currently pending in this application. Applicant has amended Claims 1 and 8 and added new Claim 21 as indicated above. Support for the amendments to the claims is found in the specification as originally filed, and is described below. Applicant has also added a new drawing shown in Figure 10, and amended the specification to make reference to Figure 10. Support for the new drawing and the amendments to the specification are found in the specification as originally filed, and are described below. No new matter has been added. Reconsideration is respectfully requested.

Discussion of Examiner Interview

Applicant wishes to thank Examiner Chen for taking the time to conduct a telephone interview with Applicant's representatives on November 7, 2007. Applicant believes that substantial progress was achieved during the interview, and the amendments and arguments submitted in this response are in accordance with that discussion.

Support in the Specification As Filed for Amendments to Claim 1

Amended Claim 1 recites:

1. **(Currently Amended)** A furniture support system ~~including~~ comprising:
 - a support post having a first locating formation comprising:
 - a channel that extends longitudinally along at least a part of the length of the support post having a pair of lips defining a mouth, and
 - a channel body located behind the mouth, the mouth being narrower than the channel body, ~~and~~;
 - a support element having a second locating formation that is complementary to the channel and engageable therewith, the first and second locating formations being constructed and arranged for sliding movement in the longitudinal direction, such that the position of the support element relative to the support post is continuously adjustable; ~~||, ||~~ and
 - a lock adapted to fix ~~locking means for fixing~~ the position of the support element relative to the support post, wherein the second locating formation has upper and lower ends and the lock ~~locking means~~ is located towards the lower end

and the lock ~~locking means~~ is constructed and arranged for compressive engagement with the channel body on an inner face opposite the mouth thereby causing, in use, the lower end of the second locating formation to be ~~forced~~ pushed against the inner face of the lips so as to fix the position of the support element.

The specification as originally filed, specifically the paragraph beginning at page 7, line 16, provides support for the amendments shown above in Claim 1. In this paragraph, the original specification describes a support element 9 located in a groove 3, as well as a connector element 15 which slides into the groove 3 at one end of the support post 1. The groove lips 7 retain the support element 9 within the groove 3 when the support post 1 is vertically mounted. The position of the support element 9 relative to the groove 3 is continuously adjustable since the connector element 15 can slide within the groove 3 to the desired position. The position of the support element 9 can then be fixed by tightening a grub screw in the support element 9 against the support post 1. The grub screw applies pressure to an inner wall of the groove 3. The grub screw applies a moment to the connector element 15 such that its lower end applies pressure to the groove lips 7. This language in the specification provides support for the amendments shown above, as it describes a "lock" applying compressive load to an "inner face" to "fix the position of the support element."

Support in the Specification As Filed for Amendments to Claim 8

Claim 8 has been amended to replace the terms "locking means" with "lock," "screw element" with "screw," and "the compressive load" with "compressive load." The paragraph beginning at page 7, line 16, describes use of a grub screw. A grub screw is a type of "lock," as well as a type of "screw." The same paragraph describes a grub screw applying pressure, or "compressive load," to an inner wall.

Support in the Specification As Filed for New Claim 21

New Claim 21 recites:

21. (New) A furniture support according to claim 1, wherein the lock is adapted to fix the position of the support element relative to the support

post by causing the upper end of the second locating formation to push against the inner face of the channel body opposite the mouth.

Support for new Claim 21 can be found in the paragraph beginning at page 7, line 16 of the original specification. Here, the specification describes a grub screw applying a moment to the connector element 15 such that its upper end applies pressure to the inner wall and its lower end applies pressure to the groove lips 7, creating a pressure triangle and fixing the support element 9 in place. As the specification further states, this arrangement is advantageous since when loading is applied to the support element 9, for example by a person working at a desk, the load biases the grub screw against the inner wall, thereby increasing friction between the support element 9 and the support post 1, and increasing the resistance to slippage.

Support in the Specification as Filed for the New Drawing

A new drawing has been added, shown in Figure 10. Figure 10 illustrates a cross-sectional view of a support post 1 and support element 9. As can be seen in the drawing, the grub screw 12 is applying a compressive load on the inner wall of the channel 3, causing the upper end 60 of the connector element 15 to push against the inner wall of the channel 3 and the lower end 61 to push against the lips 7. This forms three points of pressure, or a pressure triangle, holding the support element 9 in place. A load 10 is additionally illustrated. When this load 10 applies pressure in the direction of the arrows shown, it increases the friction between the support element 9 and the support post 1, thereby increasing any resistance to slippage.

Figure 10 illustrates those amendments made to Claims 1 and 8, as well as new Claim 21. Claims 1 and 8 describe a lock compressively engaging the channel body and causing the lower end of the support element to push against the lips so as to fix the position of the support element. Claim 21 describes the same, with the addition of the upper end of the support element pushing against the inner wall of channel. The invention described in each of these claims is now illustrated in Figure 10. Just as with Claims 1, 8, and 21, support for Figure 10 can be found in the paragraph beginning at page 7, line 16 of the original specification.

Amendments to the Specification

The specification has been amended to make reference to Figure 10 and provide appropriate labels. No new matter has been added.

Response to Rejection of Claims 1, 5, 8, 10-17, and 19-20 Under 35 U.S.C. § 103(a)

In the August 13, 2007 Office Action, the Examiner has rejected Claims 1, 5, 8, 10-17, and 19-20 as being unpatentable over Frascaroli et al. in view of Towfigh. The Examiner agreed at the interview that the amendments presented herein would overcome this rejection if it could be shown that they were supported by the specification and a new drawing added to the application to depict the newly claimed invention without the addition of new matter. In view of the foregoing remarks, these conditions have been satisfied. Accordingly, withdrawal of the rejection of Claims 1, 5, 8, 10-17 and 19-20 is respectfully requested.

Response to Rejection of Claim 9 Under 35 U.S.C. § 103(a)

In the August 13, 2007 Office Action, the Examiner also rejected Claim 9 as being unpatentable over Frascaroli et al. in view of Towfigh, and further in view of Lininger, Jr. et al. (U.S. Patent No. 6,484,647 B2) ("Lininger"). Claim 9 depends from Claim 1. The Examiner has already agreed that the invention described in Claim 1 is nonobvious over Frascaroli in view of Towfigh. Thus, Claim 9 is believed to be patentable for the same reasons as Claim 1.

Moreover, none of Towfigh, Frascaroli, nor Lininger disclose a "lock adapted to fix the position of the support element relative to the support post, wherein the second locating formation has upper and lower ends and the lock is located towards the lower end and the lock is constructed and arranged for compressive engagement with the channel body on an inner face opposite the mouth thereby causing, in use, the lower end of the second locating formation to be pushed against the inner face of the lips so as to fix the position of the support element" as recited by amended Claim 1. Accordingly, Claim 9 is believed to be patentable for this additional reason as well.

In view of the amendments to the claims, the foregoing remarks, and the Examiner's statements during the November, 7, 2007 interview, withdrawal of the rejection of Claim 9 is believed to be appropriate.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather,

any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

In view of the foregoing amendments and remarks, the present application is believed to be fully in condition for allowance. However, should the Examiner identify any impediments to the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 5 Dec. 2007

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